

REMARKS

Claims 1-34 are pending, with claims 4-8, 17-20 and 29-34 being withdrawn from examination.

THE AMENDMENTS TO THE CLAIMS

Claim 1 has been amended to recite that the friction-producing assembly comprises an open-ended chamber extending into the first member from said slit; a reversibly-compressible material positioned at the closed end of said chamber; and a bearing position between the reversibly-compressible material and the tab. This amendment is supported by original claim 9.

Claim 9 has been amended to depend from claim 1 and to recite that the edge of said socket portion encloses the ball portion inserted therein around the periphery of said edge. This amendment is supported by the drawings, in particular the illustration of the socket edge in Figures 1A, 1B, 5B, 6B, and 8.

Claim 10 has been amended to depend from 1 rather than claim 9.

Claim 14 has been amended to depend from claim 1 and to recite that the tab effectively fills the slit. This amendment is supported at page 2, lines 21-24 and page 10, lines 1-2 of the specification.

Claim 15 has been amended to recite that the friction-producing assembly comprises an open-ended chamber extending into the first member from said slit; a reversibly-compressible material positioned at the closed end of said chamber; and a bearing position between the reversibly-compressible material and the tab. This amendment is supported by original claim 22.

Claim 22 has been amended to depend from claim 15 and to recite that the edge of said socket portion encloses the ball portion inserted therein around the periphery of said edge. This amendment is supported by the drawings, in

particular the illustration of the socket edge in Figures 1A, 1B, 5B, 6B, and 8.

Claim 23 has been amended to depend from claim 15 rather than claim 22.

Claim 27 has been amended to recite that the tab effectively fills the slit. This amendment is supported at page 2, lines 21-24 and page 10, lines 1-2 of the specification.

THE REJECTIONS UNDER 35 U.S.C. 103

Sanders in view of Rice

Claims 1-3, 9-14, and 22-26 were rejected under 35 U.S.C. 103(a) as being unpatentable over Sanders (US 235,300) in view of Rice (US 2,108,927).

Sanders relates to a joint for joining doll limb members (*a*, *b*). The joint has a mortise (A), formed in one portion of the joint and a tenon (B), formed in the other portion of the joint. As noted at lines 77-79, the mortise (A) is to some extent longer than the end of the tenon (B). This is illustrated in Figure 2, which clearly shows a substantial gap between the curved end (*f*) of the tenon (B) and the curved base (*c*) of mortise (A). Therefore, the mortise does not fill the tenon. In addition, the curved recesses (*d*) are longer than the hemispherical ends (*e*) of the member (*a*) (ll. 77-79). Sanders teaches a shape for the recesses (*d*) in which the lower edges of the recesses (*d*) do not enclose the hemispherical ends (*e*) around the periphery of the edges. Instead, there is a significant gap between the lower edge of the recesses and the hemispherical ends at the back of the joint, as clearly shown in Figures 1 and 2. As Sanders teaches at lines 80-83, this joint construction has been adopted to permit the member (*a*) to be turned or folded back to a greater extent than would otherwise be the case. In the members (*a*, *b*) are formed shoulders (*g*) to act as stops to prevent the joint from being turned in the wrong direction (ll. 53-55).

Rice relates to a mannequin having an adjustable leg member. In Rice's adjustable leg joint, the lower portions of the upper leg sections (12) are provided with pockets (12a) extending inwardly from the rear side thereof. A spring-pressed detent (20) is provided in one side wall of the pocket (12A) to engage the lug (19). As shown in Figure 7, the lug (19) does not fill the pocket (12a). As shown in Figures 5-7, Rice's joint is not a ball and socket joint.

The Office Action states that "it would have been obvious to one skilled in the art at the time of applicant's invention, to modify the arrangement of Sanders to include a friction-producing assembly fixture recessed within the first limb member and in contact with said tab as taught by Rice, for the purpose of assisting in the retention of the adjustment of the leg sections." Applicants respectfully submit that practical modification of the Sanders reference to include a friction-producing assembly fixture having an open ended chamber extending into the limb member (a) from the mortise (A), a reversibly compressible material positioned at the closed end of the chamber and a bearing positioned between the reversibly compressible material and the tenon (B) would involve reduction of the size of the mortise (A) from that shown in Figures 1 and 2. Such a modification is contrary to the teachings of the Sanders reference. Adopting the mortise shape taught by the Rice reference would limit the range of motion of the modified joint, and potentially render the joint unsatisfactory from Sanders' point of view.

Amended claim 1 contains the limitations that the friction-producing assembly fixture is recessed within the first limb member and in contact with said tab and that the friction-producing assembly fixture recessed in the first member to be joined comprises: an open-ended chamber extending into the first member from said slit; a reversibly-compressible material positioned at the closed end of said chamber; and a bearing positioned between the reversibly-compressible material and the tab. In view of the foregoing discussion, Applicants submit that

there is no motivation to combine the Sanders reference with the Rice reference to modify the Sanders joint to include such a friction-producing assembly fixture in contact with said tab. Applicants therefore respectfully request reconsideration and withdrawal of the rejection of claim 1. Since claims 2-3 and 9-14 depend from and incorporate all the limitations of claim 1, reconsideration and withdrawal of the rejection of claims 2-3 and 9-14 is also requested.

In addition, amended claim 9 incorporates the limitation that the edge of said socket portion encloses the ball portion inserted therein around the periphery of said edge. As discussed above, the Sanders reference fails to teach this limitation. Since the Rice reference does not relate to a ball and socket joint, the Rice reference does not provide motivation to modify the recesses (*d*) of the Sanders reference. Therefore, the combination of references fails to teach all the limitations of claim 9 and a *prima facie* case of obviousness has not been made out. Applicants respectfully request reconsideration and withdrawal of the rejection of claim 9.

Furthermore, amended claim 14 incorporates the limitation that the tab effectively fills the slit. As discussed above, both the Sanders and Rice references fail to teach this limitation. Therefore, the combination of references fails to teach all the limitations of claim 14 and a *prima facie* case of obviousness has not been made out. Applicants respectfully request reconsideration and withdrawal of the rejection of claim 14.

Claims 22-26 depend from claim 15 and incorporate all the limitations of claim 15. Amended claim 15 contains the limitations that the friction-producing assembly fixture is recessed within the first limb member and in contact with said tab and that the friction-producing assembly fixture recessed in the first member to be joined comprises: an open-ended chamber extending into the first member from said slit; a reversibly-compressible material positioned at the closed end of said chamber; and a bearing positioned between the reversibly-compressible

material and the tab. In view of the foregoing discussion, Applicants submit that there is no motivation to combine the Sanders reference with the Rice reference to modify the Sanders joint to include such a friction-producing assembly fixture. Since claims 22-26 depend from and incorporate all the limitations of claim 15, reconsideration and withdrawal of the rejection of claims 22-26 is respectfully requested.

In addition, amended claim 22 incorporates the limitation that the edge of said socket encloses the ball portion inserted therein around the periphery of said edge. As discussed above, the Sanders reference fails to teach this limitation. Since the Rice reference does not relate to a ball and socket joint, the Rice reference does not provide motivation to modify the recesses (*d*) of the Sanders reference. Therefore, the combination of references fails to teach all the limitations of claim 22 and a *prima facie* case of obviousness has not been made out. Applicants respectfully request reconsideration and withdrawal of the rejection of claim 22.

Sanders in view of Rice and Harris

Claims 15, 16, 21, and 27-28 were rejected under 35 U.S.C. 103(a) as being unpatentable over Sanders (US 235,300) in view of Rice (US 2,108,927) and Harris (US 3,383,962).

Harris relates to a ratchet-wrench construction rather than to a mannequin joint. At column 2, lines 29-35, Harris discloses a detent engagement between a handle (17) and a body (10). One of the handle is forked (19, 20); the forks straddle a tongue (18) at one end of the body. The detent engagement is accomplished with a spring-detent ball captured within a bore in the handle and constantly riding a series of angularly spaced teeth on the outer face of the tongue (18). Figure 2A shows that the tongue (18) does not fill the gap between forks (19, 20). Also, it is noted that the engagement between the handle and the body of the Harris construction does not form a ball and socket joint.

The Office Action states: “it would have been obvious to one skilled in the art at the time of applicant’s invention, to modify the arrangement of Sanders to include a friction-producing assembly fixture recessed within the first limb member and in contact with said tab as taught by Rice, for the purpose of assisting in the retention of the adjustment of the leg sections.” The Office Action further states that “it would have been obvious to one of ordinary skill in the art at the time of applicant’s invention to modify the arrangement of Rice to include surface depressions in the tab as taught by Harris.”

Amended claim 15 contains the limitations that the friction-producing assembly fixture is recessed within the first limb member and in contact with said tab and that the friction-producing assembly fixture recessed in the first member to be joined comprises: an open-ended chamber extending into the first member from said slit; a reversibly-compressible material positioned at the closed end of said chamber; and a bearing positioned between the reversibly-compressible material and the tab. In view of the preceding discussion regarding combination of the Sanders and Rice references, Applicants submit that there is no motivation to combine the Sanders reference with the Rice reference to modify the Sanders joint to include a friction-producing assembly fixture recessed within the first limb member and in contact with said tab. Similarly, there is no motivation to combine the Sanders reference with the Harris reference to modify the Sanders joint to include a friction-producing assembly fixture recessed within the first limb member and in contact with said tab. Therefore, Applicants respectfully request reconsideration and withdrawal of the rejection of claim 15. Since claims 16, 21, and 27-28 depend from and incorporate all the limitations of claim 15, reconsideration and withdrawal of the rejection of claims 16, 21, and 27-28 is requested.

Furthermore, amended claim 27 incorporates the limitation that the tab effectively fills the slit. As discussed above, the Sanders, Rice and Harris

references fail to teach this limitation. Therefore, the combination of references fails to teach all the limitations of claim 27 and a *prima facie* case of obviousness has not been made out. Applicants respectfully request reconsideration and withdrawal of the rejection of claim 27. Since claim 28 depends from and incorporates all the limitations of claim 27, reconsideration and withdrawal of the rejection of claim 28 is also requested.

Conclusion

All claims being in condition for allowance passage to issuance is respectfully requested.

If there are further issues related to patentability, the courtesy of a telephone interview is requested, and the Examiner is invited to call to arrange a mutually convenient time.

This amendment is accompanied by a Request for Extension of Time which authorizes a charge of \$510, for a three month extension of time, to deposit account 07-1969. If this amount is incorrect, please credit any overpayment or charge any deficiency, including any fees for extension of time, to deposit account 07-1969.

Respectfully submitted,



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TRJ:bds:9/11/06